

PROB 12C
(6/16)

Report Date: March 1, 2023

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 02, 2023**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kayli Noel Hamilton

Case Number: 0980 2:16CR00099-TOR-2

Address of Offender: [REDACTED], Spokane, Washington 99217

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: June 28, 2018

Original Offense: Possession with Intent to Distribute 50 Grams or More of Actual (Pure) Methamphetamine, 21 U.S.C. § 841(a)(1) and (b)(1)(A)(viii)

Original Sentence: Prison - 60 Months; Type of Supervision: Supervised Release
TSR - 60 Months

Asst. U.S. Attorney: Caitlin A. Baunsgard

Date Supervision Commenced: January 10, 2020

Defense Attorney: Amy H. Rubin

Date Supervision Expires: January 9, 2025

PETITIONING THE COURT**To issue a SUMMONS.**

On January 10, 2020, Ms. Kayli Noel Hamilton signed her conditions relative to case number 2:16CR00099-TOR-2, indicating she understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: Ms. Hamilton is alleged to have violated mandatory condition number 1 by being arrested on February 24, 2023, for the offenses of Driving Under the Influence, in violation of R.C.W. 46.61.502, a gross misdemeanor, and two counts of Reckless Endangerment, in violation of 9A.36.050, a gross misdemeanor.

Specifically, on February 26, 2023, Ms. Hamilton sent an email to her then assigned United States probation officer indicating that “yesterday” she had been “pulled over and ticketed for a DUI.” Ms. Hamilton further admitted relapsing on methamphetamine “1 week ago” and disclosed that she is currently pregnant, indicating her desire to not be returned to custody given established employment and her need to care for her children.

On February 27 and 28, 2023, Ms. Hamilton reported to the U.S. Probation Office in Spokane, regarding the allegations as outlined. Ms. Hamilton admitted having been cited for

Prob12C

Re: Hamilton, Kayli Noel

March 1, 2023

Page 2

those offenses previously stated, and she admitted to relapsing on methamphetamine, initially occurring on or about Tuesday, February 21, 2023, and then additionally using the substance on a daily basis leading up to her arrest on February 24, 2023. Mr. Hamilton indicated her sobriety since and reaffirmed current pregnancy, indicating that she would be advising her attending physician about her relapse in 2 weeks during her next prenatal appointment.

On March 1, 2023, the police reports were received relative to Ms. Hamilton's identified arrest. According to police reports, on February 24, 2023, a welfare call was broadcast by law enforcement dispatch indicating a vehicle, the description of which matched that of Ms. Hamilton's, was observed in the Spokane Valley, by a concerned party who described a female driver who appeared to be "nodding out" with a toddler in the car. Approximately 30 minutes later, a vehicle matching the description of the reported vehicle was stopped by law enforcement for speeding. The vehicle was subsequently determined to be the vehicle previously reported to law enforcement. Ms. Hamilton's vehicle was identified by law enforcement to be traveling 49 miles per hour in a 35 mile-per-hour zone.

Ms. Hamilton identified herself using a Washington State driver's license, and indicated that she had just dropped her two children off at daycare and was now on her way to work. Ms. Hamilton participated in sobriety testing following initial concern, after which she was advised she was being placed under arrest for driving under the influence. Ms. Hamilton was searched incident to arrest and "multiple baggies" containing what appeared to be methamphetamine were located on the client's person in addition to a glass pipe with a burnt residue. A bottle of Buprenorphine was also located, and the client indicated having a prescription, as well as her current participation in the Suboxone program.

Ms. Hamilton was read her Constitutional Rights by the officer, after which Ms. Hamilton admitted that she had used drugs prior to driving her two children to daycare. Ms. Hamilton subsequently submitted to a blood draw, and was released on her own recognizance. Ms. Hamilton was cited for driving under the influence, two counts of reckless endangerment - DV, and speeding.

2 **Mandatory Condition #3:** You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Supporting Evidence: Ms. Hamilton is alleged to have violated mandatory condition number 3 by ingesting methamphetamine on a daily basis, occurring initially on February 21 through 24, 2023.

Specifically, on February 26, 2023, Ms. Hamilton advised the U.S. Probation Office via email as to her having been cited for driving while under the influence, as well as her recent relapse on methamphetamine. Ms. Hamilton indicated in the email that the arrest had taken place "yesterday," but the arrest was later verified to have occurred on Friday, February 24, 2023. As a part of law enforcement's investigation into Ms. Hamilton's conduct, she admitted to having previously ingested drugs on the day in question prior to driving her children to daycare.

On both February 27 and 28, 2023, Ms. Hamilton reported to the U.S. Probation Office in Spokane, and further detailed her recent relapse on methamphetamine as having occurred

Prob12C

Re: Hamilton, Kayli Noel

March 1, 2023

Page 3

initially on February 21, 2023, and then occurring on a daily basis up until her arrest on February 24, 2023. Ms. Hamilton did sign a drug use admission form documenting her most recent use of the substance as previously occurring on or about February 24, 2023.

The U.S. Probation Office respectfully recommends the Court **issue a SUMMONS** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

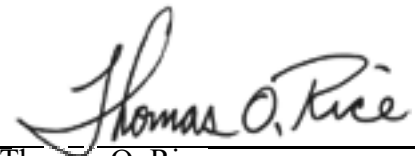
Executed on: March 1, 2023

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge

March 2, 2023

Date